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Attorneys for Defendants  
THE AMERICAN BOTTLING COMPANY;  
DR PEPPER/SEVEN UP, INC.; KEURIG DR  
PEPPER INC.; and TAYLOR MARCUS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO BELLO, an individual and  
on behalf of all others similarly situated,

Plaintiff,

1 / 1

THE AMERICAN BOTTLING COMPANY, a Delaware corporation; KEURIG DR PEPPER INC., a Delaware corporation; TAYLOR MARCUS, an individual; and DOES 1 through 100, inclusive

## Defendants.

Case No. 2:22-cv-01333-KJM-KJN

Assigned to Hon. Kimberly J. Mueller,  
Courtroom 3

**JOINT STIPULATION TO  
CONTINUE ALL DEADLINES  
RELATED TO DEFENDANTS'  
MOTION TO COMPEL  
ARBITRATION; ORDER**

**[F.R.C.P. 6(b); Local Rule 144(a)]**

Complaint Filed: June 23, 2022  
Removal Filed: July 27, 2022

1 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 144(a), Plaintiff  
2 Francisco Bello and Defendants The American Bottling Company; Keurig Dr Pepper  
3 Inc.; and Taylor Marcus (collectively with Plaintiff, the “Parties”), by and through their  
4 respective counsel, hereby stipulate as follows:

5 1. The Parties have agreed that it is in their mutual best interests to attempt an  
6 early resolution of the Action. Specifically, in an effort to avoid the time, cost, expense,  
7 burden, and frustration of litigation, and in the hope of informally resolving the Action  
8 without unnecessarily involving the Court, the Parties have agreed to participate in a  
9 private mediation the parameters of which the Parties are in the process of finalizing.

10 2. On October 20, 2022, Defendants filed a Motion to Compel Arbitration;  
11 Dismiss under Rules 12(B)(1), 12(B)(3), and 12(B)(6), or Stay the Case Pending  
12 Arbitration (the “Motion”). Defendants noticed the Motion to be heard on February 17,  
13 2023 at 10:00 a.m. in order to allow the Parties to focus their efforts toward resolving  
14 this Action through mediation, and not toward motion practice.

15 3. Pursuant to Local Rule 230(c), as amended in March of 2022, Plaintiff’s  
16 deadline to file an Opposition to Defendants’ Motion is currently set for November 3,  
17 2022.

18 4. The Parties have agreed that extending Plaintiff’s deadline to file an  
19 Opposition to Defendants’ Motion to January 27, 2023, twenty-one (21) days before the  
20 Motion is set to be heard, would promote judicial economy and efficiency.

21 Therefore, for the good cause set forth above, the Parties respectfully request that  
22 the Court enter an Order extending Plaintiff’s deadline to file an Opposition to Motion  
23 to January 27, 2023.

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25 [signatures on the following page]

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1 DATED: October 24, 2022  
2  
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Respectfully submitted,

SEYFARTH SHAW LLP

4 By: /s/ Daniel C. Whang (as authorized  
on October 24, 2022)

5 DANIEL C. WHANG  
LAURA E. HEYNE

6 Attorneys for Defendants THE  
AMERICAN BOTTLING COMPANY;  
7 KEURIG DR PEPPER INC.; and  
TAYLOR MARCUS

8 DATED: October 24, 2022  
9

Respectfully submitted,

10 BIBIYAN LAW GROUP, P.C.

11 By: /s/ Jeffrey C. Bils

12 DAVID D. BIBIYAN  
JEFFREY C. BILS  
JOSHUA SHIRIAN

13 Attorneys for Plaintiff, FRANCISCO  
14 BELLO, on behalf of himself and all others  
similarly situated

16 \* Pursuant to Local Rule 131(e), all signatories listed, and on whose behalf this  
17 Report is submitted, concur in the filing's content and have authorized the filing.  
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## ORDER

The Court has reviewed the Parties' Joint Stipulation to Continue All Deadlines Related To Defendants' Motion To Compel Arbitration ("Motion"), and good cause appearing therefor, hereby GRANTS the Parties' request. Plaintiff's deadline to file an Opposition to Defendants' Motion is extended to January 27, 2023, which is twenty-one (21) days before the Motion is set to be heard.

## IT IS SO ORDERED.

DATED: October 25, 2022.

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**CHIEF UNITED STATES DISTRICT JUDGE**

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